

REMARKS

Applicant requests favorable reconsideration and allowance of this application in view of the preceding amendments and the following remarks.

Claims 1-49 are presented for examination. Claims 1, 46, and 48 are independent. Claims 1, 3, 4, 6-8, 32, 46, and 48 have been amended to more clearly define certain claimed features of the present invention. Support for these amendments may be found at, for example, paragraphs [0006], [0054], and [0061] of Applicant's specification, as published. Therefore, no new matter has been added.

Independent claims 1, 46, and 48, and dependent claims 2, 9, 12-16, 22, 24, 25, 30, 31, 33-37, 39, and 40 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Publication No. 2002/0123949 (VanLeeuwen) in view of U.S. Patent No. 5,659,165 (Jennings et al.). The remaining dependent claims stand rejected under 35 U.S.C. § 103(a) as being unpatentable over VanLeeuwen in view of Jennings as applied to claim 1, and in further view of various secondary citations, as set forth in the Office Action. Without conceding the propriety of these rejections, Applicant has amended the independent claims and submits that these claims, as well as all claims dependent thereon, are patentably distinct from the cited art for at least the following reasons.

Independent claim 1 recites a method of allocating income to a user savings account and to payees. This method includes, among other steps, transferring a first portion of user income to the user savings account and transferring a second portion of the user income to at least one of the payees. The first and second portions both are based at least in part upon

a payment hierarchy. The second portion is transferred after the first portion is transferred. By this method, user income is allocated first to the user's savings account, and then to payees of the user debts. Users thus can pay themselves first.

The VanLeeuwen publication fails to teach or suggest transferring first and second portions of a user's income in accordance with the present invention, as recited in independent claim 1. VanLeeuwen discloses a system for reducing and managing debt. The system includes a bill payment module, as illustrated in Fig. 2 and discussed at, for example, paragraphs [0025] and [0026]. However, VanLeeuwen does not expressly disclose user savings accounts. While VanLeeuwen may disclose transferring a portion of a user's income to a payee, nothing in this publication is directed to transferring another portion of the user's income to the user's savings account at the same time as transferring a portion of a user's income to a payee. Thus, this publication clearly does not contemplate transferring to the savings account prior to transferring to the payee. Thus, the VanLeeuwen publication fails to teach or suggest certain features of the present invention, as recited in claim 1.

The Jennings patent also fails to teach or suggest transferring first and second portions of a user's income in accordance with the present invention, as recited in independent claim 1. Jennings discloses a process for transferring funds between accounts, as shown in Fig. 6. However, as discussed in col. 9-12 and illustrated in greater detail in Figs. 7-9, Jennings only discloses transfers to a "recipient business". Jennings makes no mention of payment of debts to owed to a recipient. Jennings thus fails to teach or suggest

transferring a portion of a user's income to at least one payee of the user's debts. Applicant notes that because Jennings only discloses transfer funds from a customer's account, this patent fails to teach or suggest transferring a portion of the user's income to the user's savings account. And as is the case with VanLeeuwen, the Jennings patent does not even contemplate transferring to the savings account prior to transferring to the payee. Thus, Jennings fails to compensate for the deficiencies in VanLeeuwen discussed above.

The disclosures of the remaining secondary citations also fail to compensate for the deficiencies in Jennings and VanLeeuwen.

Independent claim 46 recites a method for facilitating savings, and independent claim 48 recites a method for allocating income to a user savings account and to payees. Both of these methods include features similar to those features of claim 1 discussed above. Therefore, Applicant submits that the reasoning set forth with respect to claim 1 also is applicable to claims 46 and 48.

For the foregoing reasons, Applicant submits that the present invention, as recited in independent claims 1, 46, and 48, is patentably defined over all of the cited art.

The dependent claims also should be deemed allowable, in their own right, for defining other patentable features of the present invention in addition to those recited in the independent claims. Applicant requests further individual consideration of these dependent claims.

Applicant submits that this application is in condition for allowance. Therefore, Applicant requests favorable reconsideration, withdrawal of the rejections set forth in the

above-noted Office Action and an early Notice of Allowance.

Applicant's undersigned attorney may be reached in our Washington, D.C. Office by telephone at (202) 530-1010. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,

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